

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

**FELONY**

BILL OF INFORMATION FOR CONSPIRACY TO COMMIT BRIBERY  
CONCERNING PROGRAMS RECEIVING FEDERAL FUNDS

UNITED STATES OF AMERICA

\*

CRIMINAL NO.

13-25

v.

\*

SECTION:

SECT. H MAG. 3

GERARD J. HOFFMAN, JR.

\*

VIOLATION: 18 U.S.C. § 371

\* \* \*

The United States Attorney charges that:

COUNT 1

*(Conspiracy to Commit Bribery Concerning Programs Receiving Federal Funds)*

A. AT ALL TIMES MATERIAL HEREIN:

1. From in or around 1976 until in or around 2012, the defendant, **GERARD J. HOFFMAN, JR.** ("HOFFMAN"), worked at the Orleans Parish Sheriff's Office ("OPSO"). Beginning in at least 2008 until in or around 2012, **HOFFMAN** was a Colonel at the OPSO in charge of its maintenance department. During this period of time, **HOFFMAN** was in a position to receive bids/proposals from various contractors and vendors doing maintenance work at the OPSO and held a role in selecting the winning vendor for various OPSO maintenance projects. In addition, **HOFFMAN**, as the head of maintenance at the OPSO, had a role in reviewing and

approving invoices from contractors. **HOFFMAN** also acted as an agent of the OPSO during his employment.

2. Beginning in at least 2006 until 2013, John P. Sens ("Sens") worked at the OPSO. During most of that time, Sens worked as the Director of Purchasing. In his role as the Director of Purchasing, Sens was in charge of, among other things, receiving bids and selecting the winning bidders for particular OPSO jobs, as well as approving invoices from, and securing and expediting payments to, the various contractors who were bidding on OPSO jobs and projects. In his role as the Director of Purchasing, Sens acted as an agent of the OPSO.

3. Beginning in at least 2007 and continuing until early 2012, Businessman A worked as a contractor or subcontractor at the OPSO through one of a number of companies he owned. During this period of time, Businessman A bid for and won numerous projects at the OPSO to do, among other things, maintenance and construction work. Businessman A's primary point of contact at the OPSO was Sens, the Director of Purchasing at the OPSO, who had a role in selecting Businessman A and his various corporations for particular projects and jobs, as well as securing payments for, and expediting payments to, Businessman A from the OPSO.

4. Beginning in at least 2006 and continuing until early 2012, Businessman B worked as a contractor or subcontractor at the OPSO through a company he owned. During this period of time, Businessman B bid for and won numerous projects at the OPSO to do, among other things, electrical work. Businessman B's primary points of contact at the OPSO were **HOFFMAN** and Sens, both of whom had a role in selecting Businessman B and his company for particular OPSO projects and jobs, as well as approving invoices for, securing payments for, and expediting payments to, Businessman B from the OPSO.

5. For almost all OPSO projects that were put out to bid under their purview, pursuant to official OPSO policy and state law, **HOFFMAN** and Sens required at least three bid proposals from various contractors to ensure a competitive bidding process.

6. From in or around 2007 through in or around 2011, **HOFFMAN**, along with others, including Sens, Businessman A, and Businessman B engaged in a rigged bidding process in which real bids would be submitted, along with phony bids to give the appearance of competition. More specifically, during this period of time, with the knowledge and participation of, among others, **HOFFMAN** and Sens, Businessman A and Businessman B, along with other contractors, would submit real bids for projects in the name of their companies, but would also submit phony bids, in the name of other companies, so that the requirement of three bids was reached. Almost every time this was done, as **HOFFMAN** knew, the real bids submitted by the companies owned by Businessman A and Businessman B would be awarded the work by **HOFFMAN** and Sens at the OPSO, as the phony bids were intentionally higher quotes than the real ones.

7. From in or around 2007 through in or around 2011, the period of time in which **HOFFMAN**, Sens, and these contractors engaged in the rigged bid scheme, millions of dollars in OPSO work was awarded and paid to Businessman A and/or Businessman B for various projects.

8. In exchange for the official acts of, among others, **HOFFMAN** and Sens, as set forth below, from in or around 2007 through in or around 2011, Businessman B provided various things of value to, among others, **HOFFMAN**, including gifts and free maintenance work at properties owned by **HOFFMAN**.

9. The OPSO is an organization and/or local government/political subdivision of the State of Louisiana that received, in each of the years 2007 through 2012, in excess of \$10,000 annually in federal funds.

**B. THE CONSPIRACY:**

Beginning in at least January 1, 2007 and continuing until December 31, 2011, in the Eastern District of Louisiana and elsewhere, the defendant, **GERARD J. HOFFMAN, JR.**, together with others known to the United States Attorney, including Sens, Businessman A, and Businessman B, did willfully and knowingly combine, conspire, confederate, and agree together and with each other to commit the following offenses against the United States and to conceal their commission: to corruptly solicit, demand, accept and agree to accept, anything of value from any person, intending to be influenced or rewarded in connection with any business, transaction, and series of transactions involving any thing of value of \$5,000 or more of an organization, government, or agency that receives more than \$10,000 under a federal program during a one year period, in violation of Title 18, United States Code, Section 666(a)(1)(B).

**C. OVERT ACTS IN FURTHERANCE OF THE CONSPIRACY**

On or about the following dates, in furtherance of and to conceal the conspiracy and accomplish its purposes, the defendant, **GERARD J. HOFFMAN, JR.**, along with others, committed the following overt acts, among others, in the Eastern District of Louisiana and elsewhere:

1. In or around 2007 through 2010, Businessman B undertook various electrical work at a residence owned by **HOFFMAN** in Louisiana having a total value of \$2,500. During this same time period, Businessman B also provided **HOFFMAN** with a storage container and a trailer, worth a combined total of approximately

\$5,000. **HOFFMAN** did not pay anything for either the work or the goods provided to him by Businessman B.

2. On or about April 21, 2010, Businessman B submitted a bid in the name of his company for an OPSO project approximately \$20,000. In addition to his own bid, with the knowledge of, among others, **HOFFMAN**, Businessman B submitted a phony or fraudulent bid in the name of a local company. This phony bid was intentionally higher than Businessman B's bid and, as a result, Businessman B was awarded the OPSO project by **HOFFMAN** and Sens.

All in violation of Title 18, United States Code, Section 371.

### **NOTICE OF FORFEITURE**

1. The allegations of Count 1 of this Bill of Information are realleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 18, United States Code, Sections 371, 666, and 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461(c).

2. As a result of the offense(s) alleged in Count 1, defendant, **GERARD J. HOFFMAN, JR.**, shall forfeit to the United States pursuant to Title 18, United States Code, Section 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461(c), any and all property, real or personal, which constitutes or is derived from proceeds traceable to the conspiracy to violate Title 18, United States Code, Section 666, including but not limited to:


- a. At least \$67,903.25 in United States Currency and all interest and proceeds traceable thereto.
- b. The government specifically provides notice of its intent to seek a personal money judgment against the defendant in the amount of the fraudulently-obtained proceeds.

3. If any of the property subject to forfeiture, as a result of any act or omission of the defendant(s):

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

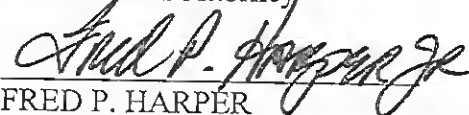
it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property.

All in violation of Title 18, United States Code, Sections 371, 666, and 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461(c).



DANA J. BOENTE

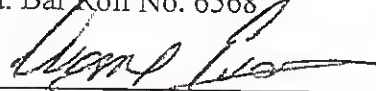
United States Attorney



FRED P. HARPER

First Assistant United States Attorney

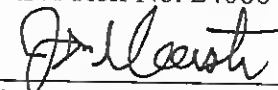
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DUANE A. EVANS

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MATTHEW S. CHESTER

Assistant United States Attorney

Texas Bar No. 24045650

New Orleans, Louisiana

February 26, 2013



UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

**FELONY**

BILL OF INFORMATION FOR CONSPIRACY TO COMMIT BRIBERY  
CONCERNING PROGRAMS RECEIVING FEDERAL FUNDS

UNITED STATES OF AMERICA

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CRIMINAL NO. 13-24

v.

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SECTION: SECT. N MAG2

JOHN P. SENS

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VIOLATION: 18 U.S.C. § 371

\* \* \*

The United States Attorney charges that:

COUNT 1

*(Conspiracy to Commit Bribery Concerning Programs Receiving Federal Funds)*

A. AT ALL TIMES MATERIAL HEREIN:

1. Beginning in at least 2006 until 2013, the defendant, JOHN P. SENS ("SENS"), worked at the Orleans Parish Sheriff's Office ("OPSO"). During most of that time, SENS worked as the Director of Purchasing. In his role as the Director of Purchasing, SENS was in charge of, among other things, receiving bids and selecting the winning bidders for particular OPSO jobs, as well as approving invoices from, and securing and expediting payments to, the various contractors who were bidding on OPSO jobs and projects. In his role as the Director of Purchasing, SENS acted as an agent of the OPSO.



2. Beginning in at least 2007 and continuing until early 2012, Businessman A worked as a contractor or subcontractor at the OPSO through one of a number of companies he owned. During this period of time, Businessman A bid for and won numerous projects at the OPSO to do, among other things, maintenance and construction work. Businessman A's primary point of contact at the OPSO was defendant SENS, the Director of Purchasing at the OPSO, who had a role in selecting Businessman A and his various corporations for particular projects and jobs, as well as securing payments for, and expediting payments to, Businessman A from the OPSO.

3. Beginning in at least 2006 and continuing until early 2012, Businessman B worked as a contractor or subcontractor at the OPSO through a company he owned. During this period of time, Businessman B bid for and won numerous projects at the OPSO to do, among other things, electrical work. Businessman B's primary points of contact at the OPSO were SENS and another OPSO employee who reported to SENS, both of whom had a role in selecting Businessman B and his company for particular OPSO projects and jobs, as well as approving invoices for, securing payments for, and expediting payments to, Businessman B from the OPSO.

4. For almost all OPSO projects that were put out to bid under their purview, pursuant to official OPSO policy and state law, SENS required at least three bid proposals from various contractors to ensure a competitive bidding process.

5. From in or around 2007 through in or around 2011, SENS, along with Businessman A and Businessman B, among others, engaged in a rigged bidding process in which real bids would be submitted, along with phony bids to give the appearance of competition. More specifically, during this period of time, with the knowledge and participation of SENS

(among others), contractors, including Businessman A and Businessman B, would submit real bids for projects in the name of their companies, but would also submit phony bids, in the name of other companies, so the appearance of competition was reached. Almost every time this was done, as SENS knew, the real bids submitted by the companies owned by Businessman A and Businessman B would be awarded the work by SENS and others at the OPSO, as the phony bids were intentionally higher quotes than the real ones.

6. From in or around 2007 through in or around 2011, the period of time in which SENS and these contractors engaged in the rigged bid scheme, millions of dollars in OPSO work was awarded and paid to Businessman A and/or Businessman B for various projects.

7. In exchange for the official acts of, among others, SENS, as set forth below, from in or around 2007 through in or around 2011, Businessman A and Businessman B provided various things of value to, among others, SENS, including gifts, free work at properties owned by SENS, and cash.

8. The OPSO is an organization and/or local government/political subdivision of the State of Louisiana that received, in each of the years 2007 through 2012, in excess of \$10,000 annually in federal funds.

**B. THE CONSPIRACY:**

Beginning in at least January 1, 2007 and continuing until December 31, 2011, in the Eastern District of Louisiana and elsewhere, the defendant, JOHN P. SENS, together with others known to the United States Attorney, including Businessman A and Businessman B, did willfully and knowingly combine, conspire, confederate, and agree together and with each other to commit the following offense against the United States and to conceal its commission: to corruptly

solicit, demand, accept and agree to accept, anything of value from any person, intending to be influenced or rewarded in connection with any business, transaction, and series of transactions involving any thing of value of \$5,000 or more of an organization, government, or agency that receives more than \$10,000 under a federal program during a one year period, in violation of Title 18, United States Code, Section 666(a)(1)(B).

**C. OVERT ACTS IN FURTHERANCE OF THE CONSPIRACY**

On or about the following dates, in furtherance of and to conceal the conspiracy and accomplish its purposes, the defendant, **JOHN P. SENS**, along with others, committed the following overt acts, among others, in the Eastern District of Louisiana and elsewhere:

1. In or around April 2008, Businessman B paid approximately \$4,033.00 for the purchase of five so-called "Blue Dog" prints/paintings. Later that same month, Businessman B paid approximately \$1,370.25 for the matting and framing of these prints. These paintings/prints were delivered to and kept by defendant **SENS** (at no charge to him) in exchange for the official acts **SENS** was undertaking to steer Businessman B OPSO work, as set forth below.
2. In or around March and April 2009, Businessman A paid for the digging, installation, and finishing of a pool at **SENS**'s house in Waveland, Mississippi. The approximate value of Businessman A's home repair work for **SENS** totaled \$25,000. **SENS** did not pay anything for this work.
3. On or about January 13, 2010, Businessman A submitted a bid in the name of one of his companies for an OPSO project worth over \$20,000. In addition to his own bid, with the knowledge of, among others, **SENS**, Businessman A submitted a phony or fraudulent bid in the name of a local company. This phony bid was intentionally higher than Businessman A's bid and, as a result, Businessman A was awarded the OPSO project by **SENS**.
4. On or about February 26, 2010, Businessman A submitted a bid in the name of one of his companies for an OPSO project worth approximately \$10,000. In addition to his own bid, with the knowledge of, among others, **SENS**, Businessman A submitted a phony or fraudulent bid in the name of another local company. This phony bid was intentionally higher than Businessman A's bid and, as a result, Businessman A was awarded the OPSO project by **SENS**.

5. On or about April 21, 2010, Businessman B submitted a bid in the name of his company for an OPSO project approximately \$20,000. In addition to his own bid, with the knowledge of, among others, **SENS**, Businessman B submitted a phony or fraudulent bid in the name of a local company. This phony bid was intentionally higher than Businessman B's bid and, as a result, Businessman B was awarded by the OPSO project by **SENS** and others at the OPSO.
6. From in or around January 1, 2008, through in or around December 31, 2011, Businessman A paid **SENS** approximately \$30,000 in cash in exchange for the official acts **SENS** was undertaking to steer him OPSO work, as set forth above.

All in violation of Title 18, United States Code, Section 371.

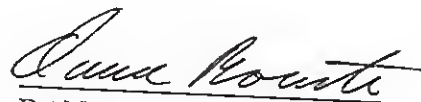
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it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property.

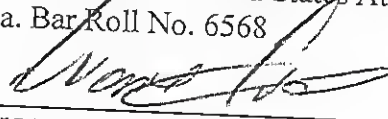
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